

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

KEANDRE ARNOLD,)	
)	
Plaintiff,)	
)	
v.)	No. 2:22-cv-00253-JRS-DLP
)	
CUPP,)	
SIMS,)	
KERIS,)	
BRETCH,)	
BERTCH,)	
REED,)	
INDA,)	
)	
Defendants.)	

Order Screening Complaint and Directing Service of Process

Plaintiff Keandre Arnold is a prisoner currently incarcerated at New Castle Correctional Facility. This civil action was severed from a previous complaint filed by Mr. Arnold. In this action, he alleges that the defendants failed to provide adequate mental health care while he was incarcerated at Wabash Valley Correctional Facility. Because Mr. Arnold is a "prisoner," this Court has an obligation to screen the complaint before service on the defendants. 28 U.S.C. § 1915A(a), (c).

I. Screening Standard

When screening a complaint, the Court must dismiss any portion that is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915A(b). To determine whether the complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Schillinger v. Kiley*, 954 F.3d 990, 993 (7th Cir. 2020).

Under that standard, a complaint must include "enough facts to state a claim to relief that is plausible on its face." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). The Court construes *pro se* complaints liberally and holds them to a "less stringent standard than formal pleadings drafted by lawyers." *Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017).

II. The Complaint

The complaint names seven defendants: Nurse Cupp, Dr. Sims, Dr. Bertch and/or Dr. Bretch, Dr. Keris, MPH Inda, and MPH Reed. Mr. Arnold alleges that Nurse Cupp denied him his psychiatric medication and then falsely reported to Dr. Sims and Dr. Bertch that he was refusing to take his medication. Without investigating these allegations, they removed him from the medication.

Mr. Arnold was denied mental health testing because Dr. Keris deemed it unnecessary. Dr. Bertch and Dr. Sims told Mr. Arnold that he had to earn back his medication by being "nice" to Nurse Cupp and MPH Inda. Dr. Bertch, Dr. Sims, Dr. Keris, MPH Inda, and MHP Reed ignored Mr. Arnold's symptomatic behavior. His behavior caused him to receive disciplinary sanctions. He seeks injunctive relief and compensatory and punitive damages.

III. Discussion of Claims

Mr. Arnold's Eighth Amendment deliberate indifference claims against the defendants **shall proceed**. If he believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have **through August 19, 2022**, in which to identify those claims.

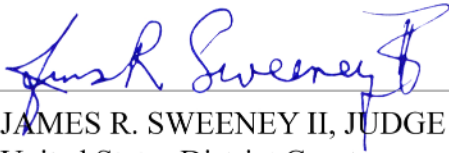
IV. Service of Process

The **clerk is directed** pursuant to *Fed. R. Civ. P.* 4(c)(3) to issue process to the defendants in the manner specified by Rule 4(d). Process shall consist of the complaint (dkt. [1]), applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), the Order Granting Motion to Sever (dkt. [4]), and this Order.

Nothing in this Order prohibits the filing of a proper motion pursuant to Rule 12 of the Federal Rules of Civil Procedure.

IT IS SO ORDERED.

Date: 07/20/2022



JAMES R. SWEENEY II, JUDGE
United States District Court
Southern District of Indiana

Distribution:

KEANDRE ARNOLD
Psychiatric Unit
NEW CASTLE - CF
NEW CASTLE CORRECTIONAL FACILITY - Inmate Mail/Parcels
1000 Van Nuys Road
NEW CASTLE, IN 47362

Nurse Cupp, medical employee
WABASH VALLEY CORRECTIONAL FACILITY
6908 S. Old US Hwy 41
CARLISLE, IN 47838

Dr. Sims, medical employee
WABASH VALLEY CORRECTIONAL FACILITY
6908 S. Old US Hwy 41
CARLISLE, IN 47838

Dr. Bertch, medical employee
WABASH VALLEY CORRECTIONAL FACILITY
6908 S. Old US Hwy 41
CARLISLE, IN 47838

Dr. Bretch, medical employee
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CARLISLE, IN 47838

Dr. Keris, medical employee
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MPH Inda, medical employee
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6908 S. Old US Hwy 41
CARLISLE, IN 47838

MPH Reed, medical employee
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